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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10 MARIANNE ATOR,  
11                   Plaintiff,  
12                   v.  
13 MICHAEAL J. ASTRUE,  
14                   Commissioner of Social Security,  
15                   Defendant.

Civil No. 3:12-cv-05660-KLS

ORDER OF  
REMAND AND JUDGMENT

16         Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned  
17 case be REVERSED and REMANDED for further administrative proceedings pursuant to  
18 sentence four of 42 U.S.C. § 405(g). On remand, an administrative law judge (ALJ) will hold a  
19 *de novo* hearing and Plaintiff may raise any issue. The ALJ will further evaluate Plaintiff's  
20 substance use to determine whether it is a contributing factor material to the determination of  
21 disability pursuant to 20 C.F.R. §§ 404.1535 and 416.935, consider any new evidence submitted,  
22 and continue the sequential evaluation process.

23         Upon proper presentation, this Court will consider Plaintiff's application for costs and  
24 attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

1 JUDGMENT is entered for Plaintiff, and this case is closed.  
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DATED this 20<sup>th</sup> day of December, 2012.

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Karen L. Strombom  
United States Magistrate Judge

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8 Presented by:

9 /s/Brett E. Eckelberg

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